


www.dnr.state.il.us

Rod R. Blago

DNR Links

[About DNR](#)
[Agency Offices](#)
[Disabled Outdoors](#)
[Get Involved](#)
[Grant Info](#)
[IDNR Home](#)
[Kids & Education](#)
[Mandatory Safety Programs](#)
[Lodges / Leasing](#)
[More Links](#)
[Outdoor Recreation](#)
[Parks & Recreation](#)
[Publications](#)
[Research/Surveys](#)
[State Museums](#)

☒ **State Links**

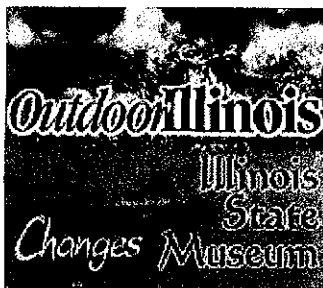
Search

 Go

☒ DNR

☐ Illinois

[IL Search Tips]



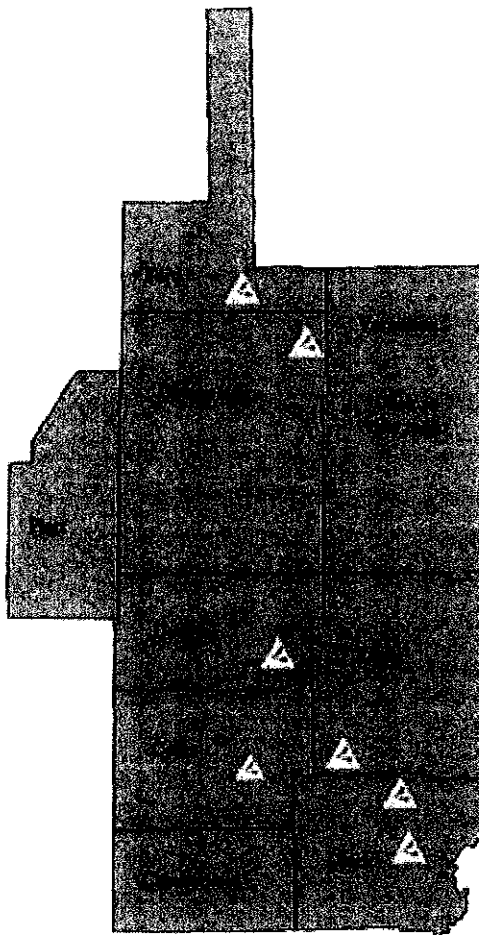
INPC Nature Preserve Directory/Area 6



Illinois Nature Preserves Commission Nature Preserve Directory Area 6

[Click here for Area 6 County Preserve Table](#)
INPC

[INPC Home Page](#)
[Illinois Nature Preserve Commission Celebrates 40th Anniversary](#)
[300th Illinois Nature Preserve Dedication Ceremony Press Release](#)
[300th Illinois Nature Preserve Dedication Ceremony Photo Gallery](#)
[Minutes of the 174th thru 178th Meetings](#)
[INPC Press Releases](#)
☒ [Illinois Nature Preserves Directory](#)
[Directory of Nature Preserves Field Staff \(Map\)](#)
[IL Natural Areas Preservation Act Commission Members](#)
[Administrative Staff](#)
☒ [Programs](#)
☒ [Meeting Directory](#)
[Contact Us](#)



[Back to Area 6 Directory](#)

#1 North Street Sidney, IL 61877 217/688-2622 217/688-2394 fax	Area 6
County	Nature Preserve
Champaign	Tomlinson Pioneer Cemetery Prairie
Clark	American Beech Woods
	Rocky Branch
Coles	Warbler Woods
Douglas	Upper Embarras Woods
Edgar	Baber Woods



www.dnr

Rod R. Blago

DNR Links

[About DNR](#)
[Agency Offices](#)
[Disabled Outdoors](#)
[Get Involved](#)
[Grant Info](#)
[IDNR Home](#)
[Kids & Education](#)
[Mandatory Safety Programs](#)
[Lodges / Leasing](#)
[More Links](#)
[Outdoor Recreation](#)
[Parks & Recreation](#)
[Publications](#)
[Research/Surveys](#)
[State Museums](#)
[State Links](#)

Search

Go

☒ DNR☐ Illinois

[IL Search Tips]

**INPC/Protection Programs**

Illinois Nature Preserves Commission Protection Programs

What are the Protection Programs?

Did you know that less than 1% of the original Illinois landscape exists today? You can help preserve these remaining rare and natural communities by promoting land preservation and stewardship.

The Illinois Nature Preserves Commission promotes the preservation of significant lands and oversees their stewardship, management, and protection by offering various land protection options designed to assist landowners who wish to voluntarily preserve their land. The Nature Preserves Commission field staff consists of nine biologists located throughout the state. These Natural Areas Preservation Specialists are educated in the biology of natural areas and trained to assist landowners in the preservation of these important lands. They work with the owners of natural areas to tailor a conservation agreement that protects the natural features of the land while addressing the landowners' use of the property. Nature Preserves Commission programs are voluntary and are available to private and public landowners.

The three following land protection options are available:

- **Dedication as an Illinois Nature Preserve.**

Only high-quality natural areas qualify for this land protection tool. Dedication is the strongest protection that can be given to land and provides permanent protection. The owner

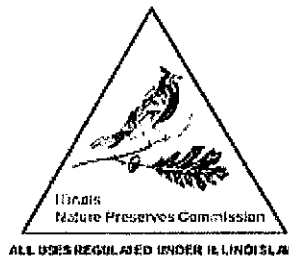
**INPC**

[INPC Home](#)
[Page](#)
[Illinois Nature Preserve Commission Celebrates 40th Anniversary](#)
[300th Illinois Nature Preserve Dedication Ceremony Press Release](#)
[300th Illinois Nature Preserve Dedication Ceremony Photo Gallery](#)
[Minutes of the 174th thru 178th Meetings](#)
[INPC Press Releases](#)
[NEW Illinois Nature Preserves Directory](#)
[Directory of Nature Preserves Field Staff \(Map\)](#)
[IL Natural Areas Preservation Act Commission Members](#)
[Administrative Staff](#)
[Programs](#)
[Meeting Directory](#)
[Contact Us](#)

retains custody but voluntarily restricts future uses of the land in perpetuity to preserve its natural state and to perpetuate natural conditions. Qualifying lands in private, corporate, or government ownership can be dedicated as an Illinois Nature Preserve. This agreement may result in financial benefits to the landowner, primarily in the form of a charitable contribution deduction on federal income taxes and a local property tax reduction. The biggest benefit to the landowner is the assurance that their cherished land will be permanently and legally preserved while still allowing them to enjoy it now and pass it on to their heirs.

• **Registration as an Illinois Land and Water Reserve.**

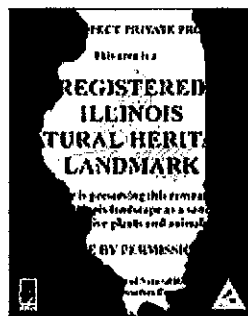
AN ILLINOIS REGISTERED RESERVE



Lands and waters of Illinois that support significant natural heritage or archaeological resources qualify for this land protection tool. The agreement to register an area as a Land and Water Reserve determines allowable uses and stipulates management

objectives. Registered Reserves may be in public or private ownership. The agreement may be for a term of years or permanent. The property can be sold or passed on to heirs subject to the agreement. Land and waters permanently registered may qualify for reduced tax benefits in the form of a local property tax reduction and possibly a charitable contribution deduction on federal income taxes.

• **Natural Heritage Landmark**



This is a recognition program that introduces a landowner to the concept of natural area protection and allows the state to assist with management of the natural area. It is a voluntary program that increases understanding of the value of natural areas and encourages their preservation

by private landowners. An agreement document determines provisions and can be terminated by

either party on sixty days notice.

These programs are designed to preserve the natural features of the land and do not require public access to private property.

Protection Program Staff	
Don McFall, Deputy Director	dmcfall@dnrmail.state.il.us
Natural Area Preservation Specialists	Area Staff Directory (Map)



www.dnr

Rod R. Blago

DNR Links

[About DNR](#)
[Agency Offices](#)
[Disabled Outdoors](#)
[Get Involved](#)
[Grant Info](#)
[IDNR Home](#)
[Kids & Education](#)
[Mandatory Safety Programs](#)
[Lodges / Leasing](#)
[More Links](#)
[Outdoor Recreation](#)
[Parks & Recreation](#)
[Publications](#)
[Research/Surveys](#)
[State Museums](#)
[State Links](#)

Search

Go

☒ DNR☐ Illinois

[IL Search Tips]

**INPC/Programs**

Illinois Nature Preserves Commission Programs

The Protection Programs:

Public and private owners of significant lands that wish to preserve their property in its natural state are able to voluntarily participate in one of our land protection programs. Options include dedication as an Illinois Nature Preserve, registration as a Land and Water Reserve or recognition as a Natural Heritage Landmark. Participation includes working with our nine Natural Area Preservation Specialists located throughout the State.

The Stewardship Programs:

The Stewardship Programs are designed to help restore and maintain the natural resources found within the Illinois Nature Preserves, Registered Land and Water Reserves, Natural Heritage Landmarks and other natural areas within the state of Illinois for now and the future.

The Defense Programs:

After an area is protected under one of the Commission's Protection Programs, the Illinois Nature Preserves Commission is obligated to ensure the area is not threatened or damaged. In concert with units of local government, developers, and State and Federal Agencies, protected areas are afforded the highest level of continued protection as required by the Illinois Natural Areas Preservation Act.

INPC[INPC Home Page](#)

[Illinois Nature
Preserve Commission
Celebrates 40th
Anniversary](#)

[300th Illinois
Nature Preserve
Dedication Ceremony
Press Release](#)

[300th Illinois
Nature Preserve
Dedication Ceremony
Photo Gallery](#)

[Minutes of the 174th
thru 178th Meetings](#)

[INPC Press Releases](#)

[NEW Illinois Nature
Preserves Directory
Directory of Nature
Preserves Field Staff
\(Map\)](#)

[IL Natural Areas
Preservation Act](#)

[Commission
Members](#)

[Administrative Staff](#)[Programs](#)[Meeting Directory](#)[Contact Us](#)

control and reduce incoming nutrients, sediments, and other pollutants.

P.A. 86-939, § 3, eff. Jan. 1, 1990.

Formerly Ill.Rev.Stat.1991, ch. 19, § 1403.

25/4. Administrative framework plan

§ 4. (a) Within one year following passage of this Act, the Agency shall develop, in consultation with the Illinois Department of Conservation, the Illinois Department of Energy and Natural Resources, the Illinois Department of Agriculture, and the Illinois Department of Transportation—Division of Water Resources an Administrative Framework Plan for implementing the requirements of this Act, including but not limited to:

(1) a public education program addressing comprehensive lake management;

(2) a technical assistance program addressing comprehensive lake management;

(3) a monitoring and research program addressing comprehensive lake management; and

(4) a program which provides financial incentives for implementation of comprehensive lake management plans at the local level.

(b) This Administrative Framework Plan shall identify:

(1) specific procedures for establishing and executing public education, technical assistance, and monitoring and research programs on lake management;

(2) detailed prioritization criteria and application procedures for review of proposed lake management studies, projects, and programs;

(3) a recommended division of responsibility among State agencies for implementing the provisions of this Act, including any appropriate Interagency Agreements; and

(4) a plan which presents the financial resources necessary for the subsequent 5 years to implement subsection (a) of this Section.

P.A. 86-939, § 4, eff. Jan. 1, 1990.

Formerly Ill.Rev.Stat.1991, ch. 19, § 1404.

25/5. Assistance in preparation of plan

§ 5. The Illinois Department of Conservation, the Illinois Department of Energy and Natural Resources, the Illinois Department of Agriculture, and the Illinois Department of Transportation—Division of Water Resources shall assist the Agency in its preparation of the Administrative Framework Plan.

P.A. 86-939, § 5, eff. Jan. 1, 1990.

Formerly Ill.Rev.Stat.1991, ch. 19, § 1405.

25/6. Application review

§ 6. Applications submitted to the Agency by Lake Owners to implement Diagnostic and Feasibility Studies, Long-Term Restoration and Preservation Projects, and Water Quality Maintenance Programs shall be reviewed on an annual basis, with a procedure for an ad hoc emergency application review. Criteria to be used by the Agency in prioritizing applications shall include:

(a) extent of recreational use,

(b) extent of additional multiple uses, including water supply,

(c) technical feasibility and lake improvement potential,

(d) extent of public access,

(e) lake condition and use impairment,

(f) types and amount of recreational facilities available,

(g) comprehensiveness of scope and cost-effectiveness,

(h) proximity of other recreational lakes,

(i) local public support for the proposal, and

(j) history of local efforts for and dedication to lake restoration and protection.

P.A. 86-939, § 6, eff. Jan. 1, 1990.

Formerly Ill.Rev.Stat.1991, ch. 19, § 1406.

25/7. Grant funds

§ 7. (a) The Agency shall grant funds to applicants on a priority basis limited only by the availability of funds. Grants should be 60% of the costs for Diagnostic and Feasibility Studies, and shall not exceed 50% of the costs for either Long Term Restoration and Preservation Projects or Water Quality Maintenance Programs. The Lake Owner shall be responsible for financing the remainder of the costs for such studies, projects, and programs. The Agency shall supervise and may audit the financing of any study, project, or program implemented under this Act. All information generated by any study, project, or program implemented under this Act shall be provided to the Agency and the Lake Owner.

(b) Applications for Long Term Restoration Projects or Water Quality Maintenance Programs must include the required outputs of a Diagnostic and Feasibility Study.

P.A. 86-939, § 7, eff. Jan. 1, 1990.

Formerly Ill.Rev.Stat.1991, ch. 19, § 1407.

ACT 30. ILLINOIS NATURAL AREAS PRESERVATION ACT

Section	
30/1.	Short title.
30/2.	Public policy.
30/3.	Definitions.
30/3.01.	Abandoned cemetery.
30/3.02.	Buffer area.
30/3.03.	Cemetery.
30/3.04.	Cemetery authority.
30/3.05.	Commission.
30/3.06.	Dedicate.
30/3.07.	Department.
30/3.08.	Director.
30/3.09.	Land.
30/3.10.	Natural area.
30/3.11.	Nature preserve.
30/3.12.	Plan.
30/3.13.	Register.
30/3.14.	Registered area.
30/3.15.	Rules.
30/3.16.	System.
30/4.	Illinois Nature Preserves Commission created— Appointments—Compensation.
30/5.	Advisors—Consultants.
30/6.	Powers and duties of commission.
30/6.01.	Inventories, registers and records.
30/6.02.	Dedication of nature preserves.
30/6.03.	Master plans—Management of nature preserves.
30/6.04.	Investigations—Dissemination of information and recommendations.
30/6.05.	Protection of natural areas.
30/6.06.	Reports.
30/6.07.	Formulation of policies.

100 NATURE PRESERVES COMMISSION
(DHP)

- Section
 30/6.08. Rules.
 30/6.09. Gifts, grants and legacies.
 30/7. Powers and duties of department.
 30/7.01. Dedication of land.
 30/7.02. Cooperation with commission.
 30/7.03. Review and approve rules.
 30/7.04. Enforcement of rules.
 30/7.05. Acquisition of real property.
 30/7.06. Registration of areas.
 30/8. Master plan for nature preserves or registered areas.
 30/9. State system of nature preserves established—Dedication.
 30/10. Dedication of buffer areas.
 30/11. Dedication of cemetery.
 30/12. Dedication of abandoned cemetery—Procedure.
 30/13. Management and custody of preserve.
 30/14. Trust for public benefit—Eminent domain—Amendment of dedication.
 30/15. Public agencies or instrumentalities of State and its political subdivisions—Dedication of land within its holdings.
 30/16. Register established—Rules.
 30/17. Public policy; agency recognition and implementation.
 30/18. Designation by dedication or commission approval.
 30/19. Provisions supplemental.
 30/20. Public access—Agreement of owner.
 30/21. Injunction—Proceedings to restrain violations.
 30/22. Civil penalties.
 30/23. Violations—Offense—Concurrent or separate enforcement.
 30/24. Enforcement personnel—Power to arrest.
 30/25. Review under Administrative Review Law.
 30/26. Savings provisions.

30/1. Short title

§ 1. This Act shall be known and may be cited as the "Illinois Natural Areas Preservation Act".

P.A. 82-445, § 1, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 701.

Title of Act:

An Act creating the Illinois Natural Areas Preservation Act and amending and repealing certain Acts herein named. P.A. 82-445, approved and eff. Sept. 15, 1981.

30/2. Public policy

§ 2. All areas within the State except those that are expressly designated by law for preservation and protection in their natural condition are liable to be altered by human activity. Natural lands and waters together with the plants and animals living thereon in natural communities are a part of the heritage of the people. They are of value for scientific research, for teaching, as reservoirs of natural materials not all of the potential uses of which are now known, as habitats for rare and vanishing species, as places of historic and natural interest and scenic beauty and as living museums of the native landscape wherein one may envision and experience primeval conditions in a wilderness-like environment. They also contribute generally to the public health and welfare and the environmental quality of the State.

It is therefore the public policy of the State of Illinois to secure for the people of present and future generations the benefits of an enduring resource of natural areas, including the elements of natural diversity present in the State, by

establishing a system of nature preserves, protecting nature preserves and gathering and disseminating information regarding them, providing for appropriate use of nature preserves that will not damage them, establishing and maintaining a register of natural areas and buffer areas, providing certain forms of protection and control of registered natural areas and registered buffer areas and otherwise encouraging and assisting in the preservation of natural areas and features.

P.A. 82-445, § 2, eff. Sept. 15, 1981. Amended by P.A. 85-150, § 9, eff. Jan. 1, 1988.

Formerly Ill.Rev.Stat.1991, ch. 105, § 702.

30/3. Definitions

§ 3. Unless the context otherwise requires, the terms defined in Sections 3.01 through 3.16 have the meanings ascribed to them in those Sections.

P.A. 82-445, § 3, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 703.

30/3.01. Abandoned cemetery

§ 3.01. "Abandoned cemetery" means a cemetery (a) in which no interments have been made and no parts of which have been conveyed or transferred (other than by inheritance or operation of law) for at least 30 years, (b) which has been exempt from real estate taxes for at least 30 years and (c) for which there is no cemetery authority.

P.A. 82-445, § 3.01, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 703.01.

30/3.02. Buffer area

§ 3.02. "Buffer area" means an area of land, any estate, interest or right in which has been dedicated or registered under this Act as a buffer area because it protects, provides access to or otherwise serves as a necessary adjunct to a nature preserve or registered natural area or because in the opinion of the Commission it will, with protection, become a natural area suitable for dedication as a nature preserve in the future.

P.A. 82-445, § 3.02, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 703.02.

30/3.03. Cemetery

§ 3.03. "Cemetery" means a parcel of land devoted to, or at least a part of which has been used for, the interment of human remains.

P.A. 82-445, § 3.03, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 703.03.

30/3.04. Cemetery authority

§ 3.04. "Cemetery authority" means a legally authorized owner, operator, manager or other person in control of a cemetery and actively attending to its care and maintenance.

P.A. 82-445, § 3.04, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 703.04.

30/3.05. Commission

§ 3.05. "Commission" means the Illinois Nature Preserves Commission created under this Act.

P.A. 82-445, § 3.05, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 703.05.

30/3.06. Dedicate

§ 3.06. "Dedicate" means to set aside land in perpetuity as a nature preserve or as a buffer area as provided in this Act for the benefit of the public, thereby subjecting the land to a negative easement in favor of the public and precluding the owner from asserting any right of ownership inconsistent with this Act or the dedication.

P.A. 82-445, § 3.06, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.06.

30/3.07. Department

§ 3.07. "Department" means the Department of Conservation.

P.A. 82-445, § 3.07, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.07.

30/3.08. Director

§ 3.08. "Director" means the Director of the Department, who may be represented by his designated agents.

P.A. 82-445, § 3.08, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.08.

30/3.09. Land

§ 3.09. "Land" means real property and ownership rights applying thereto and includes water and the land thereunder, structures and improvements.

P.A. 82-445, § 3.09, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.09.

30/3.10. Natural area

§ 3.10. "Natural area" means an area of land in public or private ownership which, in the opinion of the Commission, either retains or has recovered to a substantial degree its original natural or primeval character, though it need not be completely undisturbed, or has floral, faunal, ecological, geological or archaeological features of scientific, educational, scenic or esthetic interest.

P.A. 82-445, § 3.10, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.10.

30/3.11. Nature preserve

§ 3.11. "Nature preserve" means a natural area, and land necessary for its protection, any estate, interest or right in which has been dedicated under this Act to be maintained as nearly as possible in its natural condition and to be used in a manner and under limitations consistent with its continued preservation, without impairment, disturbance or artificial development, for the public purposes of present and future scientific research, education, esthetic enjoyment and providing habitat for plant and animal species and communities and other natural objects.

P.A. 82-445, § 3.11, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.11.

30/3.12. Plan

§ 3.12. "Plan" means a master plan, developed and approved in accordance with the rules, for the preservation, protection, development, management and use of a nature preserve or a registered area.

P.A. 82-445, § 3.12, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.12.

30/3.13. Register

§ 3.13. "Register" means the official list of registered areas or to place an area on such list.

P.A. 82-445, § 3.13, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.13.

30/3.14. Registered area

§ 3.14. "Registered area" means a natural area or a buffer area registered by the Department under this Act.

P.A. 82-445, § 3.14, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.14.

30/3.15. Rules

§ 3.15. "Rules" means rules adopted by the Commission in conjunction with the Department under this Act.

P.A. 82-445, § 3.15, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.15.

30/3.16. System

§ 3.16. "System" means the State system of nature preserves established under this Act.

P.A. 82-445, § 3.16, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 703.16.

30/4. Illinois Nature Preserves Commission created--Appointments--Compensation

§ 4. The Illinois Nature Preserves Commission is created. The Commission succeeds and continues the Commission created by "An Act relating to the creation of the Illinois Nature Preserves Commission and defining its powers and duties", approved August 28, 1963, as amended.¹ The Commission consists of 9 members appointed by the Governor. The Chief of the Illinois Natural History Survey and the Director of the Illinois State Museum shall advise the Governor on the making of appointments to the Commission and shall recommend persons suitable for appointment. The Governor shall obtain the advice of the Chief of the Illinois Natural History Survey and the Director of the Illinois State Museum concerning the suitability of any person he proposes to appoint as a member of the Commission. Members shall be persons who have demonstrated an interest in the preservation of natural areas. The members of the Commission created by "An Act relating to the creation of the Illinois Nature Preserves Commission and defining its powers and duties", approved August 28, 1963, as amended, incumbent on the effective date of this Act, shall serve as members of this Commission until the expiration of their terms under that Act, with the terms of 3 members expiring on June 30 of each year. Members shall serve until their successors are appointed and qualified. Their successors shall be appointed for 3-year terms, expiring on June 30. When an appointment is made to fill a vacancy, the appointment shall be for the remainder of the unexpired term. Any member of the Commission who has served 2 consecutive full terms is ineligible for reappointment for a period of one year following the expiration of the second term.

The Commission shall select from its membership a chairman and such other officers as it considers necessary and shall adopt policies and rules for conducting its affairs, transacting its business and keeping records. The Commission shall meet annually or more frequently upon the call of the chairman or 3 members. The members of the Commission shall serve without compensation but may be reim-

bursed for necessary expenses incurred in connection with the performance of their duties.

P.A. 82-445, § 4, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 704.

¹ Former Ill.Rev.Stat. Chapter 105, § 601 et seq. (repealed).

30/5. Advisors—Consultants

§ 5. The Director, the Chief of the Illinois Natural History Survey and the Director of the Illinois State Museum, or their representatives, and representatives of such other agencies, institutions and organizations as the Commission may determine shall serve as advisors to the Commission. The Commission may appoint consultants. Advisors and consultants shall have the privilege of discussion and debate, but without the right to vote, in the meetings of the Commission. They shall serve without compensation but may be reimbursed for necessary expenses incurred in connection with the performance of their duties. The Commission may meet without the participation of the advisors and consultants when it so desires.

P.A. 82-445, § 5, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 705.

30/6. Powers and duties of commission

§ 6. To effectuate the purposes of this Act, the Commission has the powers and duties enumerated in Sections 6.01 through 6.09 and elsewhere in this Act.

P.A. 82-445, § 6, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.

30/6.01. Inventories, registers and records

§ 6.01. To compile and maintain inventories, registers and records of nature preserves, other natural areas and features, and species of plants and animals and their habitats.

P.A. 82-445, § 6.01, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.01.

30/6.02. Dedication of nature preserves

§ 6.02. To seek and approve the dedication of nature preserves as part of the system.

P.A. 82-445, § 6.02, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.02.

30/6.03. Master plans—Management of nature preserves

§ 6.03. To prepare, or guide and participate in the preparation of, master plans for nature preserves, to keep watch over the protection, management and use of nature preserves, and to approve or disapprove the manner of holding and managing any nature preserve.

P.A. 82-445, § 6.03, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.03.

30/6.04. Investigations—Dissemination of information and recommendations

§ 6.04. To conduct investigations and to disseminate information and recommendations pertaining to nature preserves; other natural areas; and habitats of endangered, threatened or rare species of plants and animals and other elements of natural diversity.

P.A. 82-445, § 6.04, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.04.

30/6.05. Protection of natural areas

§ 6.05. To promote by advice and other assistance the protection of natural areas in the State which are not dedicated as nature preserves.

P.A. 82-445, § 6.05, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.05.

30/6.06. Reports

§ 6.06. To submit to the Governor, and to publish, before May 1 of each odd-numbered year a report which shall account for the condition of each nature preserve and each registered area and shall set forth actions of the Commission relating to the status of nature preserves and registered areas; and to publish such additional reports as it deems necessary.

P.A. 82-445, § 6.06, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.06.

30/6.07. Formulation of policies

§ 6.07. To formulate and adopt policies for (a) development and maintenance of the nature preserves system; (b) selection, acquisition, management, protection and use of dedicated and registered areas; (c) dedication of land within the system; (d) registration of areas; (e) protection of registered areas; (f) protection of habitats of endangered, threatened or rare species; (g) protection of geological sites; and (h) protection of archaeological sites and artifacts.

P.A. 82-445, § 6.07, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.07.

30/6.08. Rules

§ 6.08. To adopt rules in accordance with the "Illinois Administrative Procedure Act",¹ for (a) development and maintenance of the nature preserves system; (b) selection, acquisition, management, protection and use of dedicated and registered areas; (c) dedication of land within the system; (d) registration of areas; (e) protection of registered areas; (f) protection of habitats of endangered, threatened or rare species; (g) protection of geological sites; and (h) protection of archaeological sites and artifacts. Such rules shall be promulgated after consultation with and written approval by the Department.

P.A. 82-445, § 6.08, eff. Sept. 15, 1981. Amended by P.A. 83-1072, § 1, eff. July 1, 1984.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.08.

¹ 5 ILCS 100/1-1 et seq.

30/6.09. Gifts, grants and legacies

§ 6.09. To accept and administer, with the approval of the Director, gifts, grants and legacies of money, securities or other property to be used by the Commission for the purposes of this Act and according to the tenor of such gift, grant or legacy.

P.A. 82-445, § 6.09, eff. Sept. 15, 1981. Amended by P.A. 83-388, § 64, eff. Sept. 16, 1983.

Formerly Ill.Rev.Stat.1991, ch. 105, § 706.09.

30/7. Powers and duties of department

§ 7. To effectuate the purposes of this Act, the Department has the powers and duties enumerated in sections 7.01 through 7.06 and elsewhere in this Act.

P.A. 82-445, § 7, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.

30/7.01. Dedication of land

§ 7.01. To dedicate land held by the Department as nature preserves as provided in this Act.

P.A. 82-445, § 7.01, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.01.

30/7.02. Cooperation with commission

§ 7.02. To cooperate with the Commission in matters relating to the purposes of this Act, and, at its discretion, to provide to the Commission upon its request, services, supplies, funds, facilities and other assistance.

P.A. 82-445, § 7.02, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.02.

30/7.03. Review and approve rules

§ 7.03. To review and approve in writing rules promulgated by the Commission.

P.A. 82-445, § 7.03, eff. Sept. 15, 1981. Amended by P.A. 83-1072, § 1, eff. July 1, 1984.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.03.

30/7.04. Enforcement of rules

§ 7.04. To enforce rules pertaining to public use of and activities on nature preserves and buffer areas.

P.A. 82-445, § 7.04, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.04.

30/7.05. Acquisition of real property

§ 7.05. To acquire by gift, legacy, purchase, transfer, grant, agreement, dedication or condemnation under Article VII of the Code of Civil Procedure, approved August 19, 1981, as amended,¹ or other method, the fee simple title to real property or any lesser estates, interests or rights therein, including but not limited to leasehold estates, easements either appurtenant or in gross and either granting the Department specified rights of use or denying to the grantor specified rights of use or both (which easements may be perpetual and shall not be extinguished by conveyance of the servient estate), licenses, covenants and other contractual rights in real property and to hold and manage the same for the purposes of this Act, and with or without public access.

P.A. 82-445, § 7.05, eff. Sept. 15, 1981. Amended by P.A. 83-388, § 64, eff. Sept. 16, 1983.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.05.

¹ 735 ILCS 57-101 et seq.

30/7.06. Registration of areas

§ 7.06. To register natural areas and buffer areas.

P.A. 82-445, § 7.06, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 707.06.

30/8. Master plan for nature preserves or registered areas

§ 8. There shall be a master plan for each nature preserve or registered area. The manner of preparation, review and adoption of the plan shall be as provided by rules.

P.A. 82-445, § 8, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 708.

30/9. State system of nature preserves established—Dedication

§ 9. A State system of nature preserves is established. The system consists of nature preserves dedicated as provided in this Act.

A natural area which has been found by the Commission to be suitable for inclusion in the system shall become a nature preserve upon its dedication by the owner of the land, or of an interest or a right therein, with the approval of the Commission and the Governor. Dedication may be either donative or for a consideration. The dedication shall be evidenced by an instrument of dedication which shall be in such form as the Commission may approve. So long as consistent with the purposes of this Act, the instrument of dedication may (a) define the respective rights and duties of the owner or custodian and the Commission; (b) contain provisions relating to management, development, use, public access, sale or transfer; (c) provide procedures to be applied in case of violation of its provisions; (d) recognize or create reversionary rights, transfers upon conditions and gifts; (e) contain such other provisions as may be necessary or advisable and (f) vary in provisions from one nature preserve to another in accordance with differences in the characteristics and conditions of the areas involved. No condition of the instrument of dedication shall limit the perpetuity of the dedication except that preexisting encumbrances on the land may be recognized.

The Commission may cause the instrument of dedication and any amendments thereto to be filed for record in the office of the recorder of each county in which the nature preserve is located.

P.A. 82-445, § 9, eff. Sept. 15, 1981. Amended by P.A. 83-358, § 73, eff. Sept. 14, 1983.

Formerly Ill.Rev.Stat.1991, ch. 105, § 709.

30/10. Dedication of buffer areas

§ 10. An area may be dedicated as a buffer area in the same manner as provided in this Act for the dedication of a nature preserve. A dedicated buffer area shall have the same status and protection under this Act as a nature preserve, including being subject to the provisions of Section 14, except that the Commission, the Governor and any public owner of a dedicated interest therein may jointly approve a taking of land therefrom, or allow an intrusion thereon, for another public use after a finding by the Commission that such taking or intrusion would be in the public interest. A dedicated buffer area may be dedicated as a nature preserve.

P.A. 82-445, § 10, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 710.

30/11. Dedication of cemetery

§ 11. Any part or all of a cemetery that is suitable for dedication may be dedicated, as provided in this Act, by the owner or other cemetery authority. Dedication of a cemetery or a part thereof does not affect its status as a cemetery nor affect any rights of continuing use of the cemetery for cemetery purposes including the maintenance, construction

or preservation of markers, monuments or memorials, the care of any burial space or the use of a burial space for an interment, except that, after the cemetery is dedicated, the cemetery authority shall not convey or assign any right of interment or authorize any interment for which there was not a prior right and any maintenance or construction activity shall be in accordance with the rules and the master plan. P.A. 82-445, § 11, eff. Sept. 15, 1981.
Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 711.

30/12. Dedication of abandoned cemetery— Procedure

§ 12. If all or part of an abandoned cemetery is suitable for dedication, the county board for the county in which it is situated may dedicate it in the manner provided in this Act. If a county board proposes and intends to dedicate a described abandoned cemetery or part thereof, it shall so notify the Commission by resolution. Upon receiving the resolution of the county board, the Commission shall, in a manner to be provided by rules, give public notice of the proposal and provide an opportunity for any person to be heard at a public meeting or to request the holding of a public meeting on the question of whether the cemetery is an abandoned cemetery and, if so, whether it should be dedicated. If, after considering any statements it receives on the matter, the Commission decides the cemetery is an abandoned cemetery and that it should be dedicated, the county board may dedicate the cemetery or part thereof as provided in Section 9. P.A. 82-445, § 12, eff. Sept. 15, 1981.
Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 712.

30/13. Management and custody of preserve

§ 13. An owner of a nature preserve retains custody, administration and management thereof, or may assign, lease or convey an interest or ownership therein, or contract for the custody, maintenance or operation thereof, subject to the instrument of dedication, the policies of the Commission, the rules, the plan and this Act. The Department, the Commission and others may participate in management or custody of a nature preserve as provided by the instrument of dedication or the rules. P.A. 82-445, § 13, eff. Sept. 15, 1981.
Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 713.

30/14. Trust for public benefit—Eminent domain—Amendment of dedication

§ 14. Nature preserves are held in trust, for those uses and purposes expressed in this Act which are not prohibited by their instruments of dedication, for the benefit of the people of the State of present and future generations. Areas dedicated as nature preserves are hereby declared to be put to their highest, best and most important use for the public benefit. They shall be protected, managed and used in the manner provided by rules. They may not be taken under power of eminent domain or by other means for any other use except another public use and except upon approval of the Commission, the Governor and any public owner of a dedicated interest therein after a finding by the Commission of the existence of an imperative and unavoidable public necessity for such other public use, and upon such terms and conditions as the Commission may determine, except as may otherwise be provided in the instrument of dedication.

The owner of an interest or right in a nature preserve may amend the instrument of dedication, with the approval of the Commission and the Governor, after the Commission has

determined that the amendment will not permit an impairment, disturbance, development or use of the nature preserve or the natural features therein in a manner inconsistent with the purposes of this Act.

Before the Commission may make a finding of the existence of an imperative and unavoidable public necessity for another public use, grant or dispose of a nature preserve, grant a license, easement or other interest or right therein or amend any instrument of dedication, it shall, in a manner to be provided by rules, give public notice of the proposed action and provide an opportunity for any person to be heard at a public meeting or to request the holding of a public meeting.

The Commission may cause any legal instrument altering the status of a nature preserve to be filed for record in the office of the recorder for each county in which the nature preserve is located.

P.A. 82-445, § 14, eff. Sept. 15, 1981. Amended by P.A. 83-353, § 73, eff. Sept. 14, 1983.
Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 714.

30/15. Public agencies or instrumentalities of State and its political subdivisions— Dedication of land within its holdings

§ 15. Any public agency or instrumentality of the State and its political subdivisions has the power, and is urged, to dedicate suitable areas or portions of areas within its holdings and to continue holding them as nature preserves. Any public agency or instrumentality holding a natural area with the intention of preserving natural conditions thereon or for a purpose the Commission determines to be compatible with dedication of the area as a nature preserve shall dedicate it, subject to approval of the Commission and the Governor. P.A. 82-445, § 15, eff. Sept. 15, 1981.
Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 715.

30/16. Register established—Rules

§ 16. A register of areas is established. The register consists of areas registered by the Department under this Act with the approval of the Commission and the owner.

A registered area may be in public or private ownership and may or may not be proposed for public acquisition. A registered area may include a dedicated area.

The register shall include areas determined by the Commission to be worthy of preservation for the public purposes and policies set forth in this Act. The manner of registration of areas and of protection, control and management of registered areas shall be as provided by rules. No natural area shall be construed to be unworthy of preservation because it is not registered. Publication of the register is notice to all persons that the registered areas are worthy of preservation. P.A. 82-445, § 16, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 716.

30/17. Public policy; agency recognition and implementation

§ 17. All public agencies shall recognize that the protection of nature preserves, buffer areas and registered areas is the public policy of the State and shall avoid the planning of any action that would adversely affect them.

It shall be the public policy of each agency of State or local government to utilize its authority in furtherance of the purposes of this Act, and to evaluate, through a process of consultation with the Department, whether the actions, in-

cluding capital projects, that are authorized, funded, or carried out by the agency of State or local government are likely to result in the destruction or adverse modification of any natural area that is registered under this Act or identified in the Illinois Natural Areas Inventory.

The evaluation shall be conducted early in the planning of a proposed action. If the proposed action is found likely to have an adverse impact on a natural area, the agency shall study the proposed action to determine possible methods of eliminating or mitigating the adverse impact. Before implementing any action, the agency shall attempt to mitigate or eliminate any adverse impacts in a manner consistent with the planned action. The Department, Commission, or any affected person may seek a writ of mandamus to compel an agency of State or local government to engage in the evaluation and study required by this Section.

P.A. 82-445, § 17, eff. Sept. 15, 1981. Amended by P.A. 88-139, § 5, eff. Jan. 1, 1994.

Formerly Ill.Rev.Stat.1991, ch. 105, § 717.

30/18. Designation by dedication or commission approval

§ 18. No public agency shall designate an area as a nature preserve unless it is dedicated as a nature preserve under this Act or unless such designation is approved by the Commission.

P.A. 82-445, § 18, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 718.

30/19. Provisions supplemental

§ 19. The dedication or registration of an area or any other action taken under this Act shall not void or replace any protective status under law which an area would have were it not a dedicated or registered area, the protective provisions of this Act being supplemental thereto.

P.A. 82-445, § 19, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 719.

30/20. Public access—Agreement of owner

§ 20. This Act does not provide public access to land without agreement of the owner thereof.

P.A. 82-445, § 20, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 720.

30/21. Injunction—Proceedings to restrain violations

§ 21. The Attorney General, or the State's Attorney of the county where a nature preserve or registered area is located, may, upon his own motion or upon request of the Commission, institute a civil action for an injunction, or other appropriate legal action, to restrain violations of this Act or of any rule. In such a proceeding the court shall determine whether a violation has been committed and shall enter such orders as it considers necessary to remove the effects of any violation and to prevent such violation from continuing or from being renewed in the future.

P.A. 82-445, § 21, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 721.

30/22. Civil penalties

§ 22. Any person who violates this Act or any rule, or causes such violation by his employee or agent, shall be liable for a civil penalty of not to exceed \$10,000 for each violation,

such penalty to be recovered in an action brought by the Attorney General or the State's Attorney in the circuit court. The penalty shall be used to restore the nature preserve or registered area or to secure the preservation of similar areas. P.A. 82-445, § 22, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 722.

30/23. Violations—Offense—Concurrent or separate enforcement

§ 23. Any person who, directly or through an employee or agent, (a) willfully kills, injures, disturbs or removes any animal or plant or willfully damages, destroys or removes any object, or attempts to do any of the preceding, on a dedicated area, except as provided by rule for scientific research or for management to preserve or restore natural conditions, or on a registered area, except as provided by rule, (b) enters a dedicated or registered area that is closed to the public contrary to the rules or without permission of the owner or custodian or (c) otherwise violates this Act or any rule is guilty of a Class A misdemeanor. When the violation is a continuing offense, each day shall be considered a separate violation. Enforcements under Sections 21, 22 and 23 may be concurrent or separate.

P.A. 82-445, § 23, eff. Sept. 15, 1981. Amended by P.A. 85-150, § 9, eff. Jan. 1, 1988.

Formerly Ill.Rev.Stat.1991, ch. 105, § 723.

30/24. Enforcement personnel—Power to arrest

§ 24. Conservation Police Officers, other employees designated by the Director, sheriffs and other police officers shall enforce this Act and the rules promulgated thereunder and are empowered to arrest any person detected in violation thereof.

P.A. 82-445, § 24, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, § 724.

30/25. Review under Administrative Review Law

§ 25. All final administrative decisions under this Act are subject to judicial review under the "Administrative Review Law", as now or hereafter amended,¹ and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the "Administrative Review Law".²

P.A. 82-445, § 25, eff. Sept. 15, 1981. Amended by P.A. 83-1539, Art. IV, § 5, eff. Feb. 4, 1985.

Formerly Ill.Rev.Stat.1991, ch. 105, § 725.

¹ 735 ILCS 5/3-101 et seq.

² 735 ILCS 5/3-101.

30/26. Savings provisions

§ 26. All actions heretofore effected and all areas dedicated under Sections 1a, 2a, 2b, 2c and 2d of "An Act in relation to the acquisition, control, maintenance, improvement and protection of State parks and nature preserves", approved June 26, 1925, as amended,¹ "An Act relating to the creation of the Illinois Nature Preserves Commission and defining its powers and duties", approved August 28, 1963, as amended,² and "An Act in relation to the designation of abandoned cemeteries as nature preserves", approved September 5, 1975,³ including adoption of rules, policies, and resolutions by the Illinois Nature Preserves Commission, dedication of areas as nature preserves and dedication of buffer areas shall, except as otherwise expressly provided in

this Act, continue in effect without impairment or interruption and be subject to this Act.

P.A. 82-445, § 26, eff. Sept. 15, 1981.

Formerly Ill.Rev.Stat.1991, ch. 105, ¶ 726.

¹ Former Ill.Rev.Stat. Chapter 105, ¶¶ 465a, 466a, 466b, 466c and 466d (repealed).

² Former Ill.Rev.Stat. Chapter 105, ¶ 501 et seq. (repealed).

³ Former Ill.Rev.Stat. Chapter 105, ¶ 511 et seq. (repealed).

ACT 35. OPEN SPACE LANDS ACQUISITION AND DEVELOPMENT ACT

Section

- 35/1. Short title.
- 35/2. Definitions.
- 35/2.01. Applicant.
- 35/2.02. Director.
- 35/2.03. Department.
- 35/2.04. Local government.
- 35/2.05. Project.
- 35/2.06. Repealed.
- 35/3. Grants for acquisition of open space lands—Limitation of amounts.
- 35/4. Applications for grants—Contents.
- 35/5. Priorities in considering grants—Limitation on amount of grants.
- 35/6. Grants for fiscal year considered at same time—Requisites of applications—Evaluation—Priorities.
- 35/7. Notification of dispositions of applications—Payment of grants.
- 35/8. Repealed.
- 35/9. Rules and regulations.
- 35/10. Effective date.
- 35/11. Progress reports—Contents.
- 35/12. Repealed.
- 35/13. Open Space Lands Acquisition and Development Fund.
- 35/14. Natural Areas Acquisition Fund.

35/1. Short title

§ 1. This Act shall be known and may be cited as the Open Space Lands Acquisition and Development Act.

P.A. 78-938, § 1, eff. Nov. 14, 1973. Amended by P.A. 83-722, § 3, eff. Sept. 23, 1983.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2101.

Title of Act:

An Act in relation to the acquisition of open space and the capital development of park, recreation and conservation areas. P.A. 78-938, certified and eff. Nov. 14, 1973. Title amended by P.A. 83-722, § 4, approved and eff. Sept. 23, 1983; P.A. 84-771, § 2, approved Sept. 21, 1985, eff. Jan. 1, 1986.

35/2. Definitions

§ 2. As used in this Act, unless the context otherwise requires, the terms defined in Sections 2.01 through 2.06 have the meanings ascribed to them in those Sections.

P.A. 78-938, § 2, eff. Nov. 14, 1973.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2102.

35/2.01. Applicant

§ 2.01. "Applicant" means a local government that files an application for grant under this Act.

P.A. 78-938, § 2.01, eff. Nov. 14, 1973.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2102.01.

35/2.02. Director

§ 2.02. "Director" means the Director of Conservation.

P.A. 78-938, § 2.02, eff. Nov. 14, 1973.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2102.02.

35/2.03. Department

§ 2.03. "Department" means the Department of Conservation.

P.A. 78-938, § 2.03, eff. Nov. 14, 1973.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2102.03.

35/2.04. Local government

§ 2.04. "Local government" includes counties, townships, municipalities, park districts, conservation districts, forest preserve districts, river conservancy districts and any other unit of local government empowered to expend public funds for the acquisition and development of land for "public outdoor park, recreation or conservation purposes."

P.A. 78-938, § 2.04, eff. Nov. 14, 1973. Amended by P.A. 84-109, Art. 18, § 18-1, eff. July 25, 1985.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2102.04.

35/2.05. Project

§ 2.05. "Project" means a proposal for the acquisition of open space lands or for the capital development of park, recreation or conservation areas by a local government.

P.A. 78-938, § 2.05, eff. Nov. 14, 1973. Amended by P.A. 83-722, § 3, eff. Sept. 23, 1983; P.A. 84-771, § 1, eff. Jan. 1, 1986.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2102.05.

35/2.06. § 2.06. Repealed by P.A. 84-109, Art. 18, § 18-2, eff. July 25, 1985

35/3. Grants for acquisition of open space lands—Limitation of amounts

§ 3. From appropriations made from the Capital Development Fund, Build Illinois Purposes Fund, Build Illinois Bond Fund or other available or designated funds for such purposes, the Department shall make grants to local governments as financial assistance, on a reimbursement basis, for the capital development and improvement of park, recreation or conservation areas, marinas and shorelines, including planning and engineering costs, and for the acquisition of open space lands, including acquisition of easements and other property interests less than fee simple ownership if the Department determines that such property interests are sufficient to carry out the purposes of this Act, subject to the conditions and limitations set forth in this Act.

No more than 10% of the amount so appropriated for any fiscal year may be committed or expended on any one project described in an application under this Act.

Any grant under this Act to a local government shall be conditioned upon the state providing assistance on a 50/50 matching basis for the acquisition of open space lands and for capital development and improvement proposals.

P.A. 78-938, § 3, eff. Nov. 14, 1973. Amended by P.A. 83-722, § 3, eff. Sept. 23, 1983; P.A. 84-109, Art. 18, § 18-1, eff. July 25, 1985; P.A. 84-771, § 1, eff. Jan. 1, 1986; P.A. 84-1308, Art. II, § 93, eff. Aug. 25, 1986.

Formerly Ill.Rev.Stat.1991, ch. 85, ¶ 2103.



United States Region

John M. Henriksen
Manager Public Works

17641 South Ashland Avenue
Homewood, Illinois 60430-1345
T 708.332.3557
F 708.332.3514

May 23, 2005

Mr. Hardy Taylor,
Field Engineer
CN

Hardy,

Enclosed are fifteen (15) photos and a map of three crossing we are planning to close. Please take a look at the prints and go out to Neoga and identify the photos on the sticky note on the back. These photos will be used at our hearing before the Illinois Commerce Commission later in June. Therefore, we need to have this done soon! Return the photos to me.

THANK YOU!

A handwritten signature in black ink, appearing to read 'John', with a long, sweeping horizontal line extending from the end of the signature across the page.